

In the
Indiana Supreme Court

JOY E. (JONES) WOOD)	Supreme Court No. 34S00-0504-SJ-176
)	
vs.)	
)	Case No. 34D01-9910-DR-469
TRACY A. JONES)	in the Howard Superior Court

ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Clerk of the Howard Superior Court, and pursuant to Ind.Trial Rule 53.1, certifies this matter here for the appointment of a special judge.

And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Howard Superior Court and Judge Williams C. Menges, Jr. Petitioner's reliance on Ind.Trial Rule 53.1 is misplaced. Ind.Trial Rule 53.1(B)(4) specifically provides that the time limitation of T.R. 53.1 does not apply to a motion to correct error.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter should be remanded to the Howard Superior Court and Judge Menges.

The Clerk of this Court is directed to forward notice of this Order to the Hon. William C. Menges, Howard Superior Court, Courthouse, Kokomo, IN 46901-9004, and to the Clerk of the Howard Superior Court.

The Clerk of the Howard Superior Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this _____ day of May, 2005.

Randall T. Shepard
Chief Justice of Indiana